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Attorneys for Lessor and Creditor
 Morgan Hill Retail Venture, LP

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE EASTERN DISTRICT OF VIRGINIA
 RICHMOND DIVISION

- - - - -	x	
	:	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et</u>	:	Case No. 08-35653
<u>al.</u> ,	:	
	:	
Debtors,	:	Jointly Administered
	:	
	:	
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**MORGAN HILL RETAIL VENTURE, LP'S JOINDER TO LANDLORDS'
 MOTION FOR REHEARING AND/OR RECONSIDERATION AND/OR TO
 ALTER OR AMEND THE JUDGMENT REGARDING PAYMENT OF NOVEMBER
RENT AND MEMORANDUM IN SUPPORT THEREOF**

Creditor Morgan Hill Retail Venture, LP

("Morgan Hill") hereby joins in the motion of the

Landlords (the "Motion") (Docket No. 1347)¹ to rehear and/or reconsider and/or to alter or amend the Court's December 22, 2008 oral ruling as to whether 11 U.S.C. § 365(d)(3) requires the Debtors to make timely payment of November administrative rent to Morgan Hill pursuant to its lease² with the Debtors, and whether 11 U.S.C. § 365(d)(3) requires the Debtors to make timely payment of CAM, tax and supplemental tax obligations owed by Debtors under the Lease. Morgan Hill further joins in similar, consistent requests that have been or may be filed by other landlords to the Debtors.

WHEREFORE, Morgan Hill respectfully requests that the Court enter an order which (a) grants a rehearing and/or reconsideration of the Court's December 22, 2008 ruling denying Landlords immediate payment of its November administrative rent; (b) authorizes and

¹ The Landlords are those creditors listed in Exhibit A of the Motion, plus all those other and further lessors who shall have made or joined in motions to compel payment of administrative rent or similar relief.

² A true and correct copy of the Lease Agreement (the "Lease") executed between Circuit City Stores West Coast, Inc. and Morgan Hill Retail Venture, L.P. is attached hereto as Exhibit A. Pursuant to Section 23.17 of the Lease, Morgan Hill is entitled to payment of its reasonable attorneys' fees by the Debtors in the event that Morgan Hill prevails in obtaining the relief sought in the Motion.

directs the Debtors to immediately pay the rent owed to Morgan Hill pursuant to Section 365(d)(3) of the Bankruptcy Code; (c) authorizes and directs the Debtors to pay additional rent consisting of CAM, tax installments and supplemental tax installments owing under the Lease; (d) authorizes and directs the Debtors to reimburse Morgan Hill for all of its reasonable attorneys' fees and costs incurred in preparing and prosecuting this Motion as a result of the Debtors' failure to comply with the terms of its Lease and Section 365(d)(3) of the Bankruptcy Code; (e) authorizes and directs the Debtors to make all future monthly payments of administrative rent and related charges to Morgan Hill in full and as and when due under the Lease; and (f) grants such other and further relief as this Court deems just and proper.

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Dated: January 9, 2009

/s/ Lawrence A. Katz

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Attorney for Creditor

Morgan Hill Retail Venture,

LP

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2009, I caused a copy of the foregoing to be served by electronic means on the "2002" and "Core" lists through the ECF system.

/s/ Lawrence A. Katz

Lawrence A. Katz